

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:

Retention by Broadcasters of
Program Recordings

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MB Docket No. 04-232

VoiceLog Comments Regarding the Proposed Rulemaking

VoiceLog LLC (“VoiceLog”) offers this filing to provide information regarding methods by which broadcasters may meet the proposed requirements of this rulemaking and the possible cost of those methods.

VoiceLog has developed considerable expertise in the recording and storage of digital audio and video files. VoiceLog is the nation’s leading provider of Third Party Verification to competitive telecommunications, electric utility and natural gas providers, among others. In Third Party Verification, a service provider, such as a long distance company, transfers a new customer to VoiceLog, who then asks the customer if they wish to choose that long distance company, along with some other information. Because the call is recorded, VoiceLog records over nine million calls each year, which we store for up to seven years.

In addition, VoiceLog provides recording services for call centers in which we capture and store both the audio and video of the interaction with customers, prospects, etc. of our clients. In most cases, this data is stored for a few months.

We have reviewed the proposal suggested in the above-captioned proceeding and have developed some preliminary designs of how such recording could be effected. Our review and research have yielded the following conclusions:

- A key decision that will affect the cost of retaining program recordings is the flexibility broadcasters will have with regard to fidelity and compression. In their native formats, maintaining broadcast recordings would be extremely expensive, costing many times the amounts we have estimated for the solution we have identified. Allowing broadcasters to use industry-standard compression, such as MPEG-2 (used for DVDs) would dramatically reduce the storage required and allow for a convenient method for broadcasters to send copies of required video to the Commission for investigations.
- A second key decision that will affect the cost of recording is the method by which broadcasters are allowed to make these recordings. For example, VoiceLog has designed an approach in which a service provider would record the broadcasts of multiple broadcasters from a central location. In essence, the service provider would be receiving the broadcast in the same way as any member of the public. Such an approach would allow amortizing the cost of software and hardware development over many broadcasters, again reducing the overall cost.
- Assuming that the Commission allowed the type of approach VoiceLog has designed, VoiceLog believes that service providers could offer such a service to broadcasters at rates in the following ranges:
 - Radio stations: \$50 - \$200 per month per station
 - Television stations: \$500 - \$2,000 per month per station

We should be clear that these are preliminary estimates. We feel very confident that we could provide service at or below the upper end of these rates in medium-to-large media markets, and believe that we could potentially offer service at lower rates than the low side of the range in very large markets. We also believe at this point that the most likely cost of such a service – using the sixty day storage requirement - would be about \$80 per month for radio and about \$1,000 per month for television stations, before discounts for multiple stations, long-term contracts, etc.

- While the cost of the service would increase for ninety days of storage, the increase is not proportionate to the length of storage time required. Ninety days of storage would like cost 10%-20% more for radio and 20%-30% more for television, when compared with sixty days of storage.
- The actual cost of recording and storage is heavily affected by the compression rates that the FCC allows. Since commercial DVDs enjoy wide popular acceptance, VoiceLog would argue that high compression rates can provide very acceptable results. VoiceLog argues that the standard the Commission should use should provide the lowest acceptable sampling rate and the highest acceptable compression rate which maintains a clear video image – in the case of television – and a comprehensible audio recording – in the case of radio or television. This should be sufficient to see or hear if the broadcaster has engaged in indecent, profane or obscene programming.
- Our design provides for Web-based or DVD-based retrieval of the data. Thus, in the case of an inquiry, a broadcaster would be able to log onto a website, specify the date and time of the broadcast and play the broadcast over the PC using streaming media. The broadcaster could then save the requested file to a DVD or have VoiceLog produce the DVD for them at a nominal charge. The web-based retrieval would be included in the cost of the service.

We hope this information is helpful to the Commission. We would be glad to do additional research at the Commission's request to confirm these preliminary estimates.

Respectfully submitted,

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